

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROMUALDO HERMOSILLO- )  
AVENDANO, ) Civil Action No. 3:22-cv-00229  
 )  
Petitioner, )  
 ) Magistrate Judge Lisa Pupo Lenihan  
v. )  
 )  
WARDEN MICHAEL )  
UNDERWOOD, )  
 )  
Respondent. )

**ORDER**

The Petitioner in this matter has submitted for filing a Petition for Writ of Habeas Corpus without a filing fee or the forms required to proceed *in forma pauperis* in a habeas case. This action may not proceed unless the Petitioner either,

- (1) tenders to the “Clerk, U.S. District Court” a statutory filing fee in the amount of \$5.00, or,
- (2) files a properly completed application to proceed *in forma pauperis*, along with a certified copy of his prison account statement for the six (6) months preceding the filing of his Petition.

Therefore,

**IT IS HEREBY ORDERED** this 29th day of December, 2022 that the Clerk of Court mark this case **CLOSED**.

**IT IS FURTHER ORDERED** that Petitioner may submit a motion to proceed *in forma pauperis*, along with a certified copy of the inmate account statement for the six (6) months preceding the filing of his Petition. If that motion is granted, the case will be reopened.

**IT IS FURTHER ORDERED** that the Petitioner may also reopen this case by paying the \$5.00 filing fee.

**AND IT IS FURTHER ORDERED** that the Petitioner is allowed fourteen (14) days from this date to appeal this order to a District Judge pursuant to Rule 72.C.2 of the Local Rules. Failure to appeal within fourteen (14) days may constitute waiver of the right to appeal.

/s/ Lisa Pupo Lenihan

Lisa Pupo Lenihan  
United States Magistrate Judge

Cc: Romualdo Hermosillo-Avendano  
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